House No. 4612

Message from His Excellency the Governor recommending legislation relative to validating action taken at a special town election held in the town of Ashfield.

The Commonwealth of Massachusetts



EXECUTIVE DEPARTMENT
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DEVAL L. PATRICK GOVERNOR TIMOTHY P. MURRAY LIEUTENANT GOVERNOR

4/8/2010

To the Honorable Senate and House of Representatives:

Pursuant to the provisions of Article II, Section 8, Paragraph 1, Clause (2) of the Amendments to the Constitution, as amended by Article LXXXIX, I am filing for your consideration the attached legislation entitled, "An Act Validating Action Taken at a Special Town Election Held in the Town of Ashfield."

Senator Downing, Representative Guyer and the Ashfield Board of Selectmen have requested that I file this special legislation on behalf of the Town, validating their October 20, 2009 Select Board special election. The Town Clerk erred by listing the two candidates for office in the order they were nominated at caucus, not alphabetically as required by state law. Without this legislation, the election results, as well as any decisions reached by the Board subsequent to the election, are subject to challenge.

I urge your early and favorable consideration of this bill.

Sincerely,

DEVAL L. PATRICK,

Governor.

The Commonwealth of Massachusetts

In the Year Two Thousand and Ten

An Act validating action taken at a special town election held in the town of Ashfield.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

- SECTION 1. Notwithstanding the general provisons of section 42 of chapter 54 of the General
- 2 Laws, or any other general or special law to the contrary, the vote taken by the town of Ashfield at its
- 3 October 20, 2009 special town election, and all actions taken pursuant thereto, are hereby ratified,
- 4 validated and confirmed, notwithstanding any defect or omission with regard to the ballot for the election.
- 5 SECTION 2. This act shall take effect upon its passage.